

Message Text

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INFO AMCONSUL EDINBURGH
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C O N F I D E N T I A L SECTION 01 OF 02 LONDON 01242

E.O. 11652: XGDS-1
TAGS: PGOV, PINT, PDEV, UK
SUBJECT: DEVOLUTION: THE CURRENT OUTLOOK

REF: LONDON 0997

SUMMARY. THE GOVERNMENT IS PLEASED WITH THE WAY THE DEVOLUTION BILL IS PROGRESSING. THE REFERENDA CONCESSION, THE GOVERNMENT BELIEVES, HAS DEFUSED MUCH OF THE LABOR BACKBENCH OPPOSITION TO THE BILL, AND THE ODDS ON ITS ULTIMATE PASSAGE HAVE INCREASED TO 6 TO 4 ON. PASSAGE OF A TIMETABLE MOTION, HOWEVER, IS ESSENTIAL, AND THE GOVERNMENT IS CURRENTLY AWAITING THE RIGHT MOMENT TO INTRODUCE SUCH A MOTION. THE GOVERNMENT IS ALSO DETERMINED TO RESIST PROPORTIONAL REPRESENTATION FOR THE REGIONAL ASSEMBLIES, AND BELIEVES THIS INITIATIVE, LED BY THE LIBERALS, WILL BE DEFEATED EASILY IN COMMONS. WE AGREE WITH THIS OVERALL ASSESSMENT AND NOTE THAT GOVERNMENT MINISTERS AND BACKBENCHERS SUPPORTING DEVOLUTION HAVE BECOME MORE OPTIMISTIC ABOUT THE BILL DURING THE PAST TWO WEEKS. CONCOMITANT WITH THE BILL'S IMPROVING PROSPECTS, WE HAVE NOTED AN APPARENT DECLINE IN THE GOVERNMENT'S WILLINGNESS TO ACCOMMODATE OBJECTIONS TO
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THE BILL. END SUMMARY.

1. EMBOFFS RECENTLY MET WITH PRIVY COUNCIL MINISTER JOHN SMITH, WHO WAS CHARGED WITH DRAFTING THE DEVOLUTION BILL AND WORKS CLOSELY WITH LORD PRESIDENT MICHAEL FOOT IN MANAGING THE BILL IN COMMONS, AND NORMAN BUCHAN, A LEFT-WING LABOR MP WHO IS THE DE FACTO LEADER OF LABOR'S

BACKBENCH PRO-DEVOLUTIONISTS. THE MEETING WAS PARTICULARLY INTERESTING BECAUSE THE PRINCIPALS AT TIMES DISCUSSED AND COORDINATED THEIR FUTURE TACTICAL MOVES.

2. BOTH SMITH AND BUCHAN BELIEVE THE FIRST TWO WEEKS OF THE BILL'S COMMITTEE STAGE HAVE SUBSTANTIALLY INCREASED ITS CHANCES FOR PASSAGE. EXPERIENCE THUS FAR, THEY SAY HAS CLEARLY DEMONSTRATED THAT THE GOVERNMENT'S EARLIER DECISION TO ACCEDE TO DEMANDS FOR REFERENDA ON DEVOLUTION IN SCOTLAND AND WALES REDUCED THE NUMBER OF LABOR OPPONENTS TO DEVOLUTION TO A SMALL HARD-CORE OF BACKBENCHERS. SMITH NOW BELIEVES THAT THE ODDS FOR THE BILL'S PASSAGE HAVE INCREASED FROM 50/50 IN EARLY DECEMBER TO 60/40. BUCHAN TOO AGREES THAT THEY ARE BETTER. BUT NOTES THAT 60/487 IS STILL "TOO DAMN SHORT WHEN YOU REALIZE ITS (THE BILL'S) FAILURE COULD DESTROY THE UK."

3. BOTH SMITH AND BUCHAN HAVE NOTED INCREASING BACKBENCH RECEPTIVENESS TO A TIMETABLE MOTION FOR THE BILL. AS WE HAVE REPORTED PREVIOUSLY, WITHOUT SUCH A TIMETABLE THE BILL WILL PROBABLY BE KILLED BY FILIBUSTER. SMITH ACKNOWLEDGED THAT THE GOVERNMENT WILL INTRODUCE A TIMETABLE MOTION, POSSIBLY WITHIN THE NEXT FEW WEEKS (THE GOVERNMENT'S PUBLIC POSITION IS THAT NO DECISION HAS BEEN TAKEN ON TIMETABLE). THE PROBLEM, HE SAID, IS TO SELECT THE PROPER MOMENT. IF INTRODUCED TOO EARLY AND LOST, THE BILL WOULD BE LOST; IF INTRODUCED TOO LATE, THE TIME LEFT WOULD NOT BE SUFFICIENT TO DEBATE FULLY THE

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REMAINING CLAUSES OF THE BILL, THUS INCREASING OPPOSITION IN COMMONS AND THE HOUSE OF LORDS. SINCE THE REFERENDA ARE CENTRAL TO LIMITING OPPOSITION. THAT ISSUE MUST BE RESOLVED BEFORE THE TIMETABLE MOTION CAN BE INTRODUCED. THE NECESSARY AMENDMENTS FOR REFERENDA WILL BE BROUGHT FORWARD SHORTLY. ADDITIONAL PARLIAMENTARY TIME WILL BE SET ASIDE TO DEBATE THE REFERENDA, INCREASING THE TOTAL TIME ALLOTTED FOR THE DEVOLUTION BILL BY SEVERAL DAYS.

4. PROCEDURES FOR ELECTIONS TO THE REGIONAL ASSEMBLIES WILL BE THE NEXT MAJOR ISSUE ADDRESSED BY COMMONS. THE LIBERALS, SOME CONSERVATIVES, PROBABLY THE NATIONALIST PARTIES AND A FEW LABOR BACKBENCHERS WILL SEEK TO AMEND THE BILL TO PROVIDE FOR PROPORTIONAL REPRESENTATION (PR). THE TORY LEADERSHIP, WHILE OPPOSED TO PR, HAS DECIDED TO ALLOW A FREE VOTE ON THIS ISSUE IN ORDER TO AVOID ANOTHER DIVISIVE INTERNAL STRUGGLE. THEY ALSO WISH TO AVOID A SHOWDOWN WITH CONSERVATIVE PEERS, MANY OF WHOM FAVOR PR. THE GOVERNMENT IS TOTALLY OPPOSED TO PR AND DOES NOT

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BELIEVE IT WILL HAVE ANY DIFFICULTY DEFEATING SUCH AMENDMENTS IN COMMONS. SMITH DID NOT WISH TO SPECULATE AS TO HOW THE LORDS MIGHT AMEND THE BILL, BUT HIS STATEMENTS LEFT LITTLE DOUBT THAT THE GOVERNMENT WOULD RISK DELAYING THE BILL IF THE UPPER HOUSE SHOULD INSIST ON PR (OPINION POLLS, INCIDENTALLY, SHOW LITTLE POPULAR INTEREST IN PR). THE PR ISSUE, HOWEVER, COULD BE CRITICAL IN TERMS OF PASSING THE BILL. IT PROBABLY REPRESENTS THE LIBERALS' MOST VITAL INTEREST IN DEVOLUTION. IF PR IS REJECTED, THE LIBERALS WOULD PROBABLY CONSIDER OPPOSING THE BILL WHEN IT COMES TO A FINAL VOTE, AND THEIR BLOC MIGHT WELL BE PIVOTAL. ACCORDING TO SMITH, THE GOVERNMENT BELIEVES THE LIBERALS WILL BE AFRAID OF RISKING THEIR FUTURE IN SCOTLAND BY VOTING AGAINST THE BILL ON THIRD READING. BUCHAN DID NOT SEEM ENTIRELY PERSUADED ON THIS POINT, BUT DID NOT DISPUTE SMITH. AT THIS POINT THEY ENTERED INTO A RATHER DETAILED DISCUSSION OF TACTICS TO BE USED IN THE PR DEBATE.

5. BUCHAN, DISCUSSING THE SCOTTISH ASSEMBLY OPINED THAT THE QUALITY OF ASSEMBLYMEN WOULD BE CRITICAL TO THE SUCCESS
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OF THE ASSEMBLIES. FOR THIS REASON THE SCOTTISH AND WELSH COUNCILS OF LABOR HAD RECOMMENDED THAT FOR THE FIRST ELECTION ONLY, MPS BE ALLOWED TO STAND WITHOUT HAVING TO GIVE UP THEIR SEATS AT WESTMINSTER. THE LABOR PARTY HAS APPROVED. THE CANDIDATE SELECTION PROCESS WILL BE IDENTICAL TO THAT USED FOR PARLIAMENTARY CANDIDATES, EXCEPT THAT APPEALS AND PROTESTS WILL BE HEARD BY THE REGIONAL EXECUTIVE COUNCILS RATHER THAN THE NATIONAL EXECUTIVE COMMITTEE. TRANSPORT HOUSE OFFICIALS, HOWEVER, WILL MONITOR DEVELOPMENTS CLOSELY.

6. COMMENT. SMITH'S DESCRIPTION OF THE GOVERNMENT'S VIEWS ON THE BILL'S PROSPECTS ARE SUBSTANTIALLY IN ACCORD WITH OURS, BUT SUPPORTED BY THE HARD MATHEMATICS OF HEAD COUNTS RATHER THAN INFERENTIAL EVIDENCE. NEVERTHELESS, THE BATTLE IS FAR FROM OVER; A MISREADING OF LIBERAL ATTITUDES ON PR, FOR EXAMPLE, COULD CAUSE THE BILL TO FALL ON ITS FINAL HURDLE IN COMMONS. AND OVER 500 DISCRETE AMENDMENTS, EACH TO SOME EXTENT REPRESENTING A POTENTIAL OBSTACLE, MUST BE OVERCOME. CLEARLY, AN APPROVED TIMETABLE MOTION IS CRITICAL, AND THAT WILL DEPEND ON A CAREFUL AND ACCURATE READING OF PARLIAMENTARY SENTIMENT. FINALLY, THERE IS THE HOUSE OF LORDS. THERE WOULD APPEAR TO BE FEW LIMITS ON THE PROBLEMS THE PEERS CAN RAISE, EVEN THOUGH THE GOVERNMENT SEEMS CONFIDENT THAT IF THE CRUNCH COMES, THEIR LORDSHIPS WILL FOLD. WE SHALL SEE. ALL THINGS CONSIDERED, HOWEVER, THE GOVERNMENT HAS A RIGHT TO FEEL PLEASED, AND THE 60/40 ODDS QUOTED BY SMITH SEEM REALISTIC. BUT AS BUCHAN NOTED, THAT'S A DAMN THIN MARGIN WHEN YOU ARE DEALING WITH THE FUTURE COHESION OF THE UK.

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